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Attorneys for Dennis Del Priore

	:	UNITED STATES DISTRICT COURT
	:	DISTRICT OF NEW JERSEY
UNITED STATES OF AMERICA	:	
	:	Case No.: CR-04-540 (FLW)
v.	:	
	:	
	:	ORDER
DENNIS DEL PRIORE,	:	
Defendant	:	
	:	

Dennis Del Priore by his attorney Paul B. Brickfield, Esq., of Brickfield & Donahue having moved this Court for an order directing the return by the Queens, New York District Attorney and the New York Supreme Court for Queens County of the federal presentence report as well as therapy records of the defendant and the U.S. Attorney's Office by Assistant U.S. Attorney Mark McCarren having represented the United States in this matter and Thomas Miller of the U.S. Probation Department, District of New Jersey also have participated in this hearing and the Court having considered the written submissions of the parties and having heard oral argument on May 16, 2008 and for good and sufficient cause shown and for the reasons set forth on the record on May 16, 2008, it is hereby this 27th day of May 2008, ordered as follows:

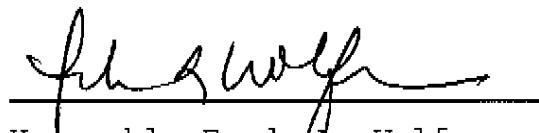
1. The United States Probation Office for the Eastern District of New York shall forthwith recover from the Queens, New York District Attorney's Office and the

New York Supreme Court, County of Queens any and all copies of the federal presentence report of Dennis Del Priore as well as from any other persons and entities who have received this report from U.S. Probation;

2. The New York Supreme Court, County of Queens is hereby barred from use of the above federal presentence report in its unredacted form in any proceeding and is to return same to U.S. Probation;
3. The Queens, New York District Attorney's Office is likewise barred from use of the above federal presentence report in its unredacted form in any proceeding and is to return same to U.S. Probation;
4. A copy of the federal presentence report, redacted as set forth on the record on May 16, 2008 to remove statements by Mr. Del Priore's ex-wife and father, but leaving reference to the ex-wife's name and the fact that she was successfully contacted by U.S. Probation, may be provided by the U.S. Probation Department, Eastern District of New York to the Queens, New York District Attorney's Office and the New York State Supreme Court, County of Queens for use in the SORA hearing involving Dennis Del Priore;
5. The Court has determined that any waiver of confidentiality executed by Mr. Del Priore, whether valid or not, did not contemplate distribution of the therapy records related to this Court's ordered therapy to the Queen's District Attorney's Office or to the New York State Supreme Court, County of Queens.
6. These therapy records are not to be used by the New York Supreme Court, County of Queens or the Queens, New York District Attorney's Office in the SORA

hearing involving defendant Dennis Del Priore and these documents are ordered to be forthwith returned by these entities to the U.S. Probation Department, Eastern District of New York;

7. The U.S. Probation Department, Eastern District of New York is to forthwith collect back and obtain the prompt return of the above therapy records from the New York Supreme Court, County of Queens, the Queens, New York District Attorney's Office as well from any other third party or entity who have been provided these records.



Honorable Freda L. Wolfson
United States District Court Judge